

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

RALPH WILSON, JR., personally and as)
Agent/Owner/Operator of Ralph Wilson Law PC)
d/b/a Ralph Wilson Law Firm LLC,)

C/A No.: 4:22-cv-02312-JD-KDW

Plaintiff,)

v.)

ORDER

MATTHEW CHIVATTONI; OFFICER)
SHANNON; HORRY COUNTY CLERK OF)
COURT; GRAY MEDIA GROUP, INC. d/b/a)
GRAY TELEVISION, INC. d/b/a WMBF; GRAY)
MEDIA GROUP, INC.)
d/b/a GRAY TELEVISION, INC. d/b/a WIS;)
SUN NEWS; FITSNEWS, LLC; SINCLAIR)
BROADCAST GROUP, INC. d/b/a WPDE.; and)
MYRTLEBEACHSC NEWS;)

Defendants.)

Plaintiff originally filed this action in state court on May 31, 2022, and it was initially removed to this court on July 19, 2022. Plaintiff alleged multiple causes of action against twenty-five named Defendants. ECF No. 1. This court issued a scheduling order on August 18, 2022. *See* ECF No. 10. Multiple Defendants then filed Motions to Dismiss. *See* ECF Nos. 5; 15; 18; 19; 22; 27; 29; 40. Several of the Defendants were subsequently dismissed by way of Stipulations of Dismissal with Prejudice. *See* ECF Nos. 11; 31; 39; 59; 60. However, Plaintiff opposed three of the Motions to Dismiss. Of these, Plaintiff opposed the Motion to Dismiss filed by Defendants South Carolina Law Enforcement Division (“SLED”), Ashley Jolda, and Kevin Strickland (together, the “SLED Defendants”), ECF No. 27; the Motion to Dismiss filed by Defendants Myrtle Beach Police Department, Prock, Macklin, Fullwood, Paitsel, Clothier, Devold, and Cook,

ECF No. 40; and the Motion to Dismiss filed by Defendant Kevin Brackett, ECF No. 75. Prior to the issuance of any rulings, the court granted a Joint Motion to Stay the Scheduling Order, ECF No. 72, pending resolution of the pending dispositive motions. The court instructed the parties at that time to file a joint motion with a proposed amended scheduling order for the court to consider pending resolution of the dispositive motions. *See* ECF No. 72.

On July 31, 2023, the court docketed three Reports and Recommendation, recommending that all three pending Motions to Dismiss be granted. ECF Nos. 87, 88, 89. On September 22, 2023, these recommendations were adopted and an Order granting all three Motions to Dismiss was docketed. ECF No. 98. Plaintiff appealed these rulings on October 20, 2023. ECF No. 104. On April 2, 2024, the United States Court of Appeals for the Fourth Circuit dismissed the appeal for failure to prosecute pursuant to Local Rule 45. ECF No. 113-1. On April 9, 2024, this court issued a text order directing Plaintiff to provide a status report as to the current posture of the case on or before April 23, 2024. ECF No. 114. To date, the parties have not provided the court a joint proposed amended scheduling order, nor has Plaintiff responded to the text order issued by this court on April 9, 2024.

Of the remaining named Defendants, several of them, including Officer Shannon, Matthew Chivattoni, Gray Media Group Inc., Sun News, FITSNews LLC, Sinclair Broadcast Group Inc., and MyrtleBeachSC News have not appeared in this case. One Defendant, the Horry County Clerk of Court, entered an appearance, ECF No. 6, on August 8, 2022. It is not clear whether one or more of these Defendants have been properly served or whether Plaintiff intends to continue any alleged claims against these Defendants. Accordingly, the court directs Plaintiff to advise the court whether he wishes to continue with this case and to provide a status update on or before **May 24, 2024**. Plaintiff is further advised that if he fails to respond, this action will be recommended for

dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

April 25, 2024
Florence, South Carolina

A handwritten signature in black ink, reading "Kaymani D. West". The signature is fluid and cursive, with the first name "Kaymani" being more prominent and the last name "West" following in a similar style.

Kaymani D. West
United States Magistrate Judge